

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**TERRY TYRONE PULLEN, JR.,**

**Plaintiff,**

**v.**

**Case No. 2:14-cv-104**

**CHIEF JUDGE EDMUND A. SARGUS, JR.**

**Magistrate Judge Elizabeth Preston Deavers**

**C/O LISA HOWARD, et al.,**

**Defendants.**

**OPINION AND ORDER**

This matter is before the Court for consideration of Plaintiff Terry Tyrone Pullen, Jr.'s ("Plaintiff") Partial Objection (ECF No. 104) and Defendants Gleason, Harris, and Newsome's ("the Escorting Officers") Objection (ECF No. 101) to the United States Magistrate Judge's September 13, 2016 Order and Report and Recommendation (ECF No. 100). In her Report and Recommendation ("R&R"), the Magistrate Judge recommended that Defendants' Amended Motion for Summary Judgment (ECF No. 68, as supplemented by ECF No. 92) be granted in part and denied in part. This Court has carefully reviewed the Magistrate Judge's very thorough and complete analysis, conducting a *de novo* review of those portions of the R&R to which the parties object.

Finding the analysis and conclusions to be correct, the Court hereby **ADOPTS** the September 13, 2016 Report and Recommendation and <sup>100</sup>**OVERRULES** Plaintiff's and Defendants' Objections. Accordingly, Defendants' Motion for Summary Judgment is <sup>92</sup>**GRANTED IN PART AND DENIED IN PART**. Genuine issues of fact preclude summary judgment with regard to Plaintiff's excessive force claim against Escorting Officers Gleason, Harris, and Newsome that is premised upon his allegations in Paragraph 30 of his Amended

Complaint (ECF No. 11, ¶ 30). Summary judgment is **GRANTED** in favor of Defendants on all of Plaintiff's remaining claims.

**IT IS SO ORDERED.**

1-3-2017  
DATE

  
EDMUND A. SARGUS, JR.  
CHIEF UNITED STATES DISTRICT JUDGE